

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR SYNCHRONIZING DATA FROM ASYNCHRONOUS DISK DRIVE DATA TRANSFERS**, the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent or inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

NONE

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications listed below:

<u>60/461,445</u>	<u>April 9, 2003</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, or § 365(c) of any PCT international application designating the United States of America listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in

the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

NONE

Direct all telephone calls to Micah D. Stolowitz at (503) 224-3380. Address all correspondence to customer number 3528:

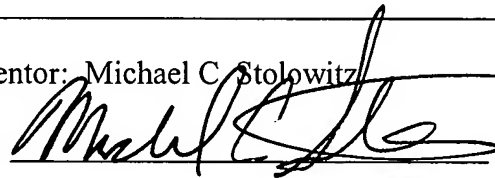
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204-1268

I understand that execution of this declaration is required by the patent laws and that this document does not create any attorney-client relationship between me and any of the attorneys of Stoel Rives LLP.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Michael C. Stolowitz

Inventor's signature:



Date

4/5/4

Residence: Danville, California

Citizenship: U.S.A.

P.O. address: 2390 Saddleback Drive
Danville, California 94506

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Michael C. Stelowitz

Application No.

Filed:

For: **METHOD AND APPARATUS FOR SYNCHRONIZING
DATA FROM ASYNCHRONOUS DISK DRIVE DATA
TRANSFERS**

Attorney Docket No.: 44541/6:2

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

TO THE COMMISSIONER FOR PATENTS:

NetCell Corp., assignee of the entire interest of the above-identified patent application, hereby appoints the practitioners of Stoel Rives LLP, USPTO Customer No. **3528**, as its attorneys and agents, with full power of substitution and revocation, to prosecute and transact all business connected therewith in the U.S. Patent and Trademark Office, and to do all things necessary before any competent International Authorities in connection with any corresponding international patent application(s).

Please enter the correspondence address for the above-identified application to the address associated with USPTO Customer No. **3528**:

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204-1268

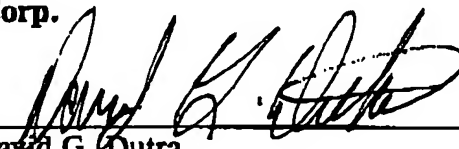
Direct all telephone calls to Micah D. Stelowitz at (503) 224-3380.

Statement Under 37 CFR §3.73(b): NetCell Corp. states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an Assignment from the inventor, which is submitted herewith for recordation.

The undersigned is empowered to sign this document on behalf of the assignee.

NetCell Corp.

By:


David G. Dutra
Secretary Treasurer

Date:

4/5/04